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The caste
disabilities ~~Act~~
Removal Act
1850

Year: 1850

Sub: Law and
Legislation/Acts/

The caste
disabilities
Removal Act

Place: India

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ACT No. XXI OF 1850.[1]

[*11th April, 1850.*

An Act for extending the principle of section 9, Regulation VII, 1832, of the Bengal Code throughout the Territories subject to the Government of the East India Company.

Preamble.

WHEREAS it is enacted by section 9, Regulation VII, 1832, of the Bengal Code,[2] that "whenever in any

Ben. Reg. VII of 1832.

[1] Short title, "The Caste Disabilities Removal Act, 1850." *See* the Indian Short Titles Act, 1897 (14 of 1897), Genl. Acts, Vol. IV.

This Act has been declared to be in force in the whole of British India, except as regards the Scheduled Districts, by the Laws Local Extent Act, 1874 (15 of 1874), s. 3, Genl. Acts, Vol II.

It has been declared in force in the Santhál Parganas by the Santhál Parganas Settlement Regulation (3 of 1872), s. 3, as amended by the Santhál Parganas Laws and Justice Regulation, 1899 (3 of 1899), Ben. Code, Vol. I; in the Arakan Hill District (with modifications) by the Arakan Hill District Laws Regulation, 1874 (9 of 1874), s. 3, Bur. Code.

It has been declared, by notification under s. 3 (*a*) of the Scheduled Districts Act, 1874 (14 of 1874), Genl. Acts, Vol. II, to be in force in the following Scheduled Districts, namely:—

Sindh	*See* Gazette of India,	1810, Pt. I, p. 672.
West Jalpáiguri . . .	Ditto	1881, Pt. I, p. 74.
The Districts of Hazáribágh, Lohárdaga (now the Ranchi District, *see* Calcutta Gazette, 1899, Pt. I, p. 44), and Mánbhum, and Pargana Dhálbhum and the Kolhán in District of Singbhum .	Ditto	1881, Pt. I, p. 504.
The Scheduled portion of the Mirzápur District . .	Ditto	1879, Pt. I, p. 383.
Jaunsar Báwar . . .	Ditto	1879, Pt I, p 382.
The Districts of Peshawar, Hazára, Kohát, Bannu, Dera Ismail Khán and Dera Gházi Khán. (*Portions of the Districts of Hazára, Bannu, Dera Ismail Khán and Dera Gházi Khán and the Districts of Peshawar and Kohat.*		

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in any civil suit the parties to such suit may be of different persuasions, when one party shall be of the Hindu and the other of the Muhammadan persuasion, or where one or more of the parties to the suit shall not be either of the Muhammadan or Hindu persuasions, the laws of those religions shall not be permitted to operate to deprive such party or parties of any property to which, but for the operation of such laws, they would have been entitled; and whereas it will be beneficial to extend the principle of that enactment throughout the territories subject to the government of the East India Company; It is enacted as follows:—

Law or usage which inflicts forfeiture of, or affects,

1. So much of any law or usage now in force within the territories subject to the government of the East

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Kohat, now form the North-West Frontier Province, see Gazette of India, 1901, Pt. I, p. 857, and ibid, *1902, Pt. I, p. 575; but its application has been buried in that part of the Hazára District known as Upper Tanawal, by the Hazára (Upper Tanawal) Regulation (2 of 1900, s. 3), Punjab and N.-W. Code)* . . . *See* Gazette of India, 1886, Pt. I, p. 48.

The District of Lahaul	Ditto	1886, Pt. I, p. 301.
The Scheduled Districts of the Central Provinces	Ditto	1879, Pt. I, p. 771.
The Scheduled Districts in Ganjam and Vizagapatam	Ditto	1898, Pt. I, p. 870.
Coorg	Ditto	1879, Pt. I, p. 747.
The District of Sylhet	Ditto	1879, Pt. I, p. 631.
The rest of Assam (except the North Lushai Hills)	Ditto	1897, Pt. I, p. 299.
The Porahat Estate in the Singhbhum District	Ditto	1897, Pt. I, p. 1059.

It has been extended, by notification under s. 5 of the last-mentioned Act, to the following Scheduled Districts, namely:—

Upper Burma generally (except the Shan States)	*See* Gazette of India, 1898, Pt. I, p. 89, and *ibid*, 1899, Pt. I, p. 98.
Kumáon and Garhwál	*See* Gazette of India, 1876, Pt. I, p. 605.
The Tarai of the Province of Agra	Ditto 1876, Pt. I, p. 505.

[a] Bengal Regulation 7 of 1832 is repealed by the Bengal Civil Courts Act, 1871 (6 of 1871), which is repealed by the Bengal, North-Western Provinces and Assam Civil Act 1887 (12 of 1887), E. B. and A. Code, Vol. I.

the East India Company as inflicts on any person forfeiture of rights or property, or may be held in any way to impair or affect any right of inheritance, by reason of his or her renouncing, or having been excluded from the communion of, any religion, or being deprived of caste, shall cease to be enforced as law in the Courts of the East India Company, and in the Courts established by Royal Charter within the said territories.

rights on change of religion or loss of caste to cease to be enforced.

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